

REMARKS

The Official Action mailed February 20, 2009, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on July 28, 2006; September 14, 2006; and October 7, 2008.

A Correction to Previously Submitted Information Disclosure Statement is submitted herewith, which corrects the Nikkei Electronics citation to include "No. 835." In the *Correction*, the Applicant requests that the attached PTO 1449 Form be initialed and that the previous erroneous citations be lined through.

Claims 2, 3, 5-7, 9, 10, 12, 13, 15, 16, 18, 19, 21, 22, 24, 25, 27, 28, 30, 31, 33, 34, 36, 37, 39, 40, 42, 43, 45 and 46 are pending in the present application, of which claims 2 and 3 are independent. Claims 2, 3, 33 and 34 have been amended to better recite the features of the present invention. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action asserts that "a claim for foreign priority is missing from the first line of the specification" (page 3, Paper No. 20090129). However, the Applicant is not aware of a provision in the Rules which requires that a foreign priority claim be made in the body of the specification. The Examiner may be confusing the requirement that domestic priority information be provided in the specification or in the application data sheet. In any event, under 37 CFR § 1.76(b)(6), the Applicant may provide foreign priority information in an application data sheet and such disclosure "constitutes the claim for priority as required by 35 U.S.C. § 119(b) and § 1.55(a)." The Applicant respectfully submits that the application data sheet includes foreign priority information (see page 3) and fully complies with Rule 1.76. Also, the Applicant notes that the foreign priority information properly appears on the *Filing Receipt* mailed April 6, 2007.

Further, electronic Patent Office records (such as the Patent Application Information Retrieval system) properly indicate a foreign priority claim as follows: "JAPAN 2004-031064, 02-06-2004." Therefore, no further action is believed to be necessary. The Applicant respectfully requests that the objection be reconsidered and withdrawn.

The Official Action rejects claims 2, 12, 15 and 27 as anticipated by U.S. Publication No. 2001/0015256 to Yamazaki. The Applicant respectfully submits that an anticipation rejection cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claim 2 has been amended to recite forming an insulating film over two thin film integrated circuits and a separation layer; forming a wiring over the insulating film; selectively etching the wiring and the insulating film and forming a groove between the two thin film integrated circuits to expose a part of the separation layer, thereby forming a connection region, wherein the connection region includes a part of the two thin film integrated circuits, the insulating film, and the wiring. These features are supported in the Original Specification, for example, by Figure 9A-9C and paragraphs [0143]-[0144] (as filed). For the reasons provided below, the Applicant respectfully submits that Yamazaki '256 does not teach the above-referenced features of the present invention, either explicitly or inherently.

Yamazaki '256 only potentially discloses that a first interlayer insulating layer 404, a silicon nitride film 118, a gate insulating layer 107, and an insulating layer 103 are sequentially etched to thereby form opening portions to reach the peeling layer. See Yamazaki '256 at paragraph [0054] and Figure 4D. However, the Applicant respectfully submits that Yamazaki '256 does not disclose the above referenced features of the present invention, including etching a wiring, either explicitly or inherently.

Since Yamazaki '256 does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.

The Official Action rejects claims 3, 5-7, 9, 10, 13, 16, 18, 19, 21, 22, 24, 25, 28, 30, 31, 33, 34, 36, 37, 39, 40, 42, 43, 45 and 46 as obvious based on Yamazaki '256, either alone or in various combinations with U.S. Patent No. 5,308,967 to Jurisch, U.S. Patent No. 6,422,473 to Ikefuji and U.S. Patent No. 7,129,145 to Kawamura. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2144.04, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claim 3 has been amended to recite forming an insulating film over two thin film integrated circuits and a separation layer; forming a wiring over the insulating film; selectively etching the wiring

and the insulating film and forming a groove between the two thin film integrated circuits to expose a part of the separation layer, thereby forming a connection region, wherein the connection region includes a part of the two thin film integrated circuits, the insulating film, and the wiring. These features are supported in the Original Specification, for example, by Figures 9A-9C and paragraphs [0143]-[0144]. Additionally, claims 33 and 34 have been further amended to correct a minor informality and are supported in the specification, for example, at paragraph [0034].

Please incorporate the arguments above with respect to the deficiencies in Yamazaki '256. Jurisch, Ikefuji and Kawamura do not cure the deficiencies in Yamazaki '256. The Official Action relies on Jurisch to allegedly teach an antenna substrate and relies on Ikefuji and Kawamura to allegedly teach the features of the dependent claims. However, Yamazaki '256, Jurisch, Ikefuji and Kawamura, either alone or in combination, do not teach or suggest the above referenced features of the present invention. Since Yamazaki '256, Jurisch, Ikefuji and Kawamura do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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